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EXAMINER	
PANNALA, SATHYANARAYA R	
ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 01/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/996,495	KADLECIK ET AL.	
	Examin r	Art Unit	
	Sathyanarayan Pannala	2167	

-- Th MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-34* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-34* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's Amendment filed on 7/6/2004 has been entered with claims 1-2, 5, 10-12, 15, 20-24, 27 are being amended and claims 33-34 as added. The claims 1-34 are pending in this Office Action.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-2, 5, 10-12, 15, 20-24, 27 and 33-34 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The limitation "Dynamically defining" does not appear to be supported in the specification. Applicant's statement that "Support for the amendments can be found through the specification (e.g., page 6, paragraph 18, lines 11-14; page 6, paragraph 20; page 10, paragraph 26, lines 6-10, page 10, paragraph 27, lines 7-9; and page 10, paragraph 28, lines 3-8)" does not correspond with the actually added limitation.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

5. Claims 1-2, 5, 10-12, 15, 20-24, 27 and 33-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim Rejections - 35 USC § 103

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 103(a) that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Burk et al. ("UNIX System Administrator's Edition", 1997) hereinafter Burk and in view of Deitel et al. ("C & C++ Multimedia Cyber Classroom", 1996) hereinafter Deitel.

8. Burk anticipated the independent claim 1, APA has stated FIND and GREP commands are two search tools, which are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in

UNIX operating system. Burk teaches "identifying text of a computer program to be searched" the GREP command to search the text (Page 174, Examples). Deitel et al. teaches for example, whenever #include statement is part of computer program, then the preprocessor looks for is the file enclosed in angle brackets or quotes. If the file is enclosed in angle brackets, the preprocessor considers as a standard binary header file and searches for specified file in the system predefined directories. If the file is enclosed in quotes then the preprocessor searches first in the same directory as the file being compiled, then in the same manner as file enclosed in angle brackets (page 802, item 17.2). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate searching for terms in a predefined location. In order to minimize the user interaction during the search of terms in the computer program during the compilation. Further, Burk teaches "dynamically defining by the computer program one or more items associated with the computer program in which to search for the text" file-name and directory-name are provided to search in the specific directory for the file-name (page 145).

9. As per dependent claim 2, Burk further teaches "the dynamically defining comprises using one or more rules of a programming language of the computer program to select the one or more items to be searched" for example, find . –name "test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using

the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

10. As per dependent claim 3, Burk further teaches "the one or more items comprise one or more files" as per the specification" for example, find . –name "test*" –print will search for all filenames (one or more) start with test and printed on the screen (page 148).

11. As per dependent claim 4, Burk further teaches "the one or more items comprise one or more classes". Examiner considering the technical dictionary meaning of class as a group of objects in object-oriented programming languages. There is no difference from searching the name of the class. Whether you are searching for a string/word or a class name within a computer program, GREP command searches, for example, GREP dummy file1 to find all occurrences of dummy (page 174, Examples). However, Deitel also teaches "the one or more items comprise one or more classes" as the a header file containing declarations and definitions common to the separate programs file is often created and included in the file. For example of such declarations and definitions are classes (page 803, lines 3-6). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate searching for terms in a predefined location. In order to eliminate the user interaction during the search of terms in the computer program during the compilation.

12. As per dependent claim 5, Burk further teaches "the dynamically defining comprises choosing one or more locations (=directories) associated with the computer program in which the one or more items to be searched are to be included, wherein

locations not associated with the computer program are not chosen" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language.

13. As per dependent claim 6, Burk teaches "the one or more locations comprise one or more directories" for example find /home/directory1 filename will search for files in the directory1 directory. The other directory above it is home directory (page 726).

14. As per dependent claim 7, Burk teaches "the one or more locations are designated by an environment variable used in compiling the computer program" as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

15. As per dependent claim 8, Burk teaches "the choosing is based on one or more rules of a programming language of the computer program" computer program code files are stored in with programming language specific extensions, for example C program files are stored as "filename.c whereas compiled files are stored as filename.o" (page 146).

16. As per dependent claim 9, Burk teaches "the text is referenced by the computer program, but not defined within the computer program" as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

17. Burk anticipated the independent claim 10, APA has stated FIND and GREP commands are two search tools, that are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "dynamically defining one or more items in which to search for text of the computer program, the one or more items being associated with the computer program" file-name and directory-name are provided to search in the specific directory for the file-name (page 145). Burk further teaches "identifying by the computer program one or more locations (=directory) in which the one or more items to be searched for the text are to be included, the one or more locations being associated with the computer program, wherein locations not associated with the computer program are not identified" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language. Burk finally teaches "at least one of the dynamically defining and identifying uses one or more rules of a programming language of the computer program" for example, find . –name "test*" – print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

18. Burk anticipated the independent claim 11. APA has stated FIND and GREP commands are two search tools, that are used to search files for selected text (page 1,

paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "identifying text of a computer program to be searched" the GREP command to search the text (Page 174, Examples). Burk further teaches "dynamically defining by the computer program one or more items associated with the computer program in which to search for the text, wherein items not associated with the computer program are not selected to be searched" file-name and directory-name are provided to search in the specific directory for the file-name (page 145).

19. As per dependent claim 12, Burk further teaches "dynamically defining comprises means for using one or more rules of a programming language of the computer program to select the one or more items to be searched" for example, find . –name "test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

20. As per dependent claim 13, Burk further teaches "the one or more items comprise one or more files" for example, find . –name "test*" –print will search for all filenames (one or more) start with test and printed on the screen (page 148).

21. As per dependent claim 14, Burk further teaches "the one or more items comprise one or more classes." Examiner considering the technical dictionary meaning of class is a group of objects in object-oriented programming languages. There is no difference from searching the name of the class. Whether you are searching for a

string/word or a class name within a computer program, GREP command searches, for example, GREP dummy file1 to find all occurrences of dummy (page 174, Examples).

22. As per dependent claim 15, Burk teaches "the means for dynamically defining comprises means for choosing one or more locations (=directories) associated with the computer program in which the one or more items to be searched are to be included, wherein locations not associated with the computer program are not chosen" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language.

23. As per dependent claim 16, Burk teaches "the one or more locations comprise one or more directories" for example find /home/directory1 filename will search for files in the directory1 directory. The other directory above it is home directory (page 726).

24. As per dependent claim 17, Burk teaches "the one or more locations are designated by an environment variable used in compiling the computer program" as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

25. As per dependent claim 18, Burk teaches "the choosing is based on one or more rules of a programming language of the computer program" computer program code files are stored in with programming language specific extensions, for example C program files are stored as "filename.c whereas compiled files are stored as filename.o" (page 146).

26. As per dependent claim 19, Burk further teaches "the text is referenced by the computer program, but not defined within the computer program" as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

27. Burk anticipated the independent claim 20, APA has stated FIND and GREP commands are two search tools, that are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "dynamically defining by a computer program one or more items in which to search for text of the computer program, the one or more items being associated with the computer program" file-name and directory-name are provided to search in the specific directory for the file-name (page 145). Burk further teaches "identifying by the computer program one or more locations in which the one or more items to be searched for the text are to be included, the one or more locations being associated with the computer program, wherein locations not associated with the computer program are not identified" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language. "at least one of the means for dynamically defining and means for identifying uses one or more rules of a programming language of the computer program" " for example, find . –name "test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer

program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

28. Burk anticipated the independent claim 21, APA has stated FIND and GREP commands are two search tools, that are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "text of a computer program to be searched" the GREP command to search the text (Page 174, Examples). Burk further teaches "at least one computing unit to dynamically define by the computer program one or more items associated with the computer program in which to search for the text" file-name and directory-name are provided to search in the specific directory for the file-name (page 145).

29. Burk anticipated the independent claim 22, APA has stated FIND and GREP commands are two search tools, that are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "at least one computing unit to dynamically define by a computer program one or more items in which to search for text of a computer program, the one or more items being associated with the computer program" file-name and directory-name are provided to search in the specific directory for the file-name (page 145). Burk further teaches "at least one computing unit to identify by the computer program one or more locations in which the one or more items to be searched for the text are to be included, the one or more locations being associated with the

computer program, wherein locations not associated with the computer program are not identified" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language. Burk further teaches "at least one of the dynamically defining and identifying uses one or more rules of a programming language of the computer program " for example, find . –name "test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer.program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

30. Burk anticipated the independent claim 23, APA has stated FIND and GREP commands are two popular search tools in UNIX operating system, that are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details. Burk teaches "identifying text of a computer program to be searched" the GREP command to search the text (Page 174, Examples). Burk further teaches "dynamically defining by the computer program one or more items associated with the computer program in which to search for the text" file-name and directory-name are provided to search in the specific directory for the file-name (page 145).

31. As per dependent claim 24, Burk further teaches "the dynamically defining comprises using one or more rules of a programming language of the computer program to select the one or more items to be searched" for example, find . –name

"test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

32. As per dependent claim 25, Burk further teaches "the one or more items comprise one or more files " as per the specification" for example, find . –name "test*" –print will search for all filenames(one or more) start with test and printed on the screen (page 148).

33. As per dependent claim 26, Burk further teaches "the one or more items comprise one or more classes ". Examiner considering the technical dictionary meaning of class is a group of objects in object-oriented programming languages. There is no difference from searching the name of the class. Whether you are searching for a string/word or a class name within a computer program, GREP command searches, for example, GREP dummy file1 to find all occurrences of dummy (page 174, Examples).

34. As per dependent claim 27, Burk further teaches "the dynamically defining comprises choosing one or more locations (= directory) associated with the computer program in which the one or more items to be searched are to be included, wherein locations not associated with the computer program are not chosen" for example find /home filename will search for files in the home directory (page 726) and Filenames are

computer program names with specific extension to the file name based on the programming language.

35. As per dependent claim 28, Burk further teaches "the one or more locations comprise one or more directories" as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

36. As per dependent claim 29, Burk further teaches "the one or more locations are designated by an environment variable used in compiling the computer program " as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

37. As per dependent claim 30, Burk further teaches " the choosing is based on one or more rules of a programming language of the computer program " computer program code files are stored in with programming language specific extensions, for example C program files are stored as "filename.c whereas compiled files are stored as filename.o" (page 146).

38. As per dependent claim 31, Burk further teaches "the text is referenced by the computer program, but not defined within the computer program " as in the disclosure, the INCLUDE statement indicates where to look for the environment file which is same as searching for the file in the specific directory and that directory may be subdirectory for another directory, for example ./test2/test21 (page 148).

39. Burk teaches the independent claim 32, APA has stated FIND and GREP commands are two search tools, which are used to search files for selected text (page 1, paragraph 002). Burk explains the same commands in more details available in UNIX operating system. Burk teaches "dynamically defining by a computer program one or more items in which to search for text of a computer program, the one or more items being associated with the computer program" file-name and directory-name are provided to search in the specific directory for the file-name (page 145). Burk further teaches "identifying by the computer program one or more locations in which the one or more items to be searched for the text are to be included, the one or more locations being associated with the computer program, wherein locations not associated with the computer program are not identified" for example find /home filename will search for files in the home directory (page 726) and Filenames are computer program names with specific extension to the file name based on the programming language. Burk further teaches "at least one of the dynamically defining and identifying uses one or more rules of a programming language of the computer program" " for example, find . –name "test*" –print will search for all filenames start with test (page 148). Examiner assumes that the rules related to search could be the filename extensions allowed in case of computer program names. For example, in case of C programming language, the source code is stored as filename.c and header files are stored as filename.h. Using the command find .-name "*.c" –print, will display all files in the directory with the file extension of "c".

40. As per dependent claim 33, Burk does not explicitly teach absent of one or more items in the user specification. However, Deitel teaches "the dynamically defining is

absent user specification of one or more items" as an example in cin and cout are not defined in the specification (page 565, lines 9-10).

41. As per dependent claim 34, Burk does not explicitly teach the search to include one or more terms on information referenced by the computer program. However, Deitel teaches "the dynamically defining comprises dynamically expanding the search to include one or more items to be searched based on information referenced by the computer program" as the #include directive is used normally to include a standard header files (page 802, item 17.2).

Response to Arguments

42. Applicant's arguments with respect to claims 1-34 have been considered but are moot in view of the new ground(s) of rejection and details as follows:

a) Applicant's argument states as "claims 1,10, 12, 20, 22, 24 and 32 now recite that the dynamically defining comprises using one or more rules of a programming language to select the one or more items to be selected."

In response to the Applicant's argument, Examiner feels strongly that the claims geared towards features of the preprocessor of C and C++. Prior art, specially the new reference teaches the amended claims.

Conclusion

43. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

44. The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

45. If a reference indicated, as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is (703) 305-9601 for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sathyanarayan Pannala whose telephone number is (571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sathyanarayan Pannala
Examiner
Art Unit 2167

srp
January 18, 2005

[illegible] ROBINSON
[illegible] EXAMINER